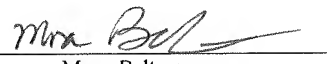


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Robert F. Kelley et al. Serial No.: 10/519,647 Filed: January 10, 2006</p>	<p>Group Art Unit: 1647 Examiner: Bridget R. Bunner Confirmation No: 7400 CUSTOMER NO: 09157</p>
<p>For: Apo-2 LIGAND/TRAIL VARIANTS AND USES THEREOF</p>	<p>Certificate of EFS-Web Transmission under 37 CFR 1.8 I hereby certificate that this correspondence is being transmitted to the United States Patent and Trademark Office by EFS-Web on May <u>3</u>, 2010.  Mona Beltran 650-225-6383</p>

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

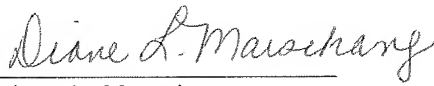
Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated November 10, 2009, of the Primary Examiner finally rejecting claims 1, 2, 4, 5, 7-14, 16-28 and 30-33.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$540 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application.

Respectfully submitted,
GENENTECH, INC.

Date: May 3, 2010

By: 
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416